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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,979	01/10/2000	WILLIAM HILL	13237-1701/M	3757
28319	7590	11/28/2005		
BANNER & WITCOFF LTD., ATTORNEYS FOR MICROSOFT 1001 G STREET, N.W. Suite 1100 WASHINGTON, DC 20001-4597			EXAMINER HUYNH, CONG LAC T	
			ART UNIT 2178	PAPER NUMBER
DATE MAILED: 11/28/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/479,979

Applicant(s)

HILL ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: response filed 9/15/05 to the application filed on 01/10/00 which is a continuation of the application 08/847,427 filed on 4/24/97, now US Pat No. 6,023,714.
2. Claims 35-53 are pending in the case. Claims 35, 42, and 38 are the independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

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5. Claims 35-53 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata et al., Dynamic Hypertext and Knowledge Agent Systems for Multimedia Information Networks, ACM 1993, pages 82-93, in view of DeRose et al. (US Pat No. 5,557,722, 9/17/96, filed 4/7/95).

Regarding independent claim 35, Shibata discloses:

- interrogating the output device to determine a set of capabilities of the output device in response to a request for the document (**pages 82-83, 86-87**: the fact that the format of a document is converted by the knowledge agent to adjust to the users workstation capabilities based upon the fact that the knowledge agent receives the user request for a document implies interrogating the output device to determine the capabilities of the output device in response to a request for the document since in order to know the capabilities of the user workstation, which is the output device, upon the user request to *adjust the format of the document accordingly*, the knowledge agent must interrogate the user workstation about its capabilities)
- selecting one format from multiple available formats based on the set of capabilities of the output device determined by interrogating the output device (**pages 82-83, 86-87**: adjusting accordingly to the user workstation capabilities through the format conversion implies that a suitable format is selected based on the capabilities of the user workstation determined by interrogating the user workstation on its capabilities)

- formatting the document for presentation on the output device (**pages 82-83, 86-87**: the format conversion of the document formats the document for presentation on the output device)

Shibata does not explicitly disclose that the formats for a document are the style sheets.

DeRose discloses that a style sheet includes format characteristics for type names of elements in a document and a document is also provided with one or more style sheets for specifying format characteristics for its display (col 3, lines 28-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined DeRose into Shibata for the following reason.

DeRose indicates that the format characteristics of the elements in a document are equivalent to the style sheets of the elements in a document providing the advantage to incorporate into Shibata to select a style sheet from a plurality of style sheets based upon the capabilities of the output device since selecting the format characteristics is considered equivalent to selecting style sheets.

Regarding claim 36, which is dependent on claim 35, Shibata and DeRose do not disclose explicitly that a layout generator is used for interrogating the output device to determine a set of the capabilities of the output device and selecting one of a plurality of style sheets based upon the set of capabilities of the output device.

However, Shibata does teach determining a set of the capabilities of the output device and selecting one format from a plurality of available formats where these formats are suitable to the user workstation (as mentioned in claim 35). DeRose discloses that the

style sheets includes format characteristics of the elements of a document (as mentioned in claim 35).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined DeRose into Shibata since DeRose discloses that the style sheets are merely the format characteristics of the elements in a document providing the advantage to incorporate into Shibata for selecting a style sheet from a plurality style sheets based on the capabilities of the output device to format a document according to capabilities of the output device determined via checking the capabilities of the output device.

Regarding claims 37, 44-45, 50, which are dependent on claims 35, 42, 48, Shibata discloses that the layout generator is external to the document (**pages 82-83, 86-87**: a knowledge agent that *performs the format conversion of the document to adjust to the user workstation capabilities is separate from the content of the document* shows that it is equivalent to the layout generator and is external to the document).

Regarding claims 38-41, 46-47, 49-52, which are dependent on claims 35, 42, 48, respectively, Shibata does not disclose embedding the style sheet in the document, placing a style tag corresponding to the selected style sheet in the document, wherein the document includes a plurality of tags and embedding the selected style sheet comprises placing style attributes corresponding to the selected style sheet in the tags of the document.

DeRose discloses formatting an electronic document by including the style sheets in the markup elements i.e. the tags (col 3, line 57 to col 4, line 11, col 15, line 64 to col 16, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined DeRose into Shibata for the following reason. The fact that DeRose discloses formatting a markup document using style sheets implies embedding style sheets in the markup tags since it was well known that a markup document is written using tags for including format characteristics to the elements in the markup document. Accordingly, it is suggested that the style sheets selected for the document to be delivered to an output device be embedded in the tags of the markup language document. This motivates to incorporate to Shibata for embedding style sheets in the tags of the markup language document for controlling the format of the document.

Independent claim 42 includes limitations of claim 35, and is rejected under the same rationale except the limitations: selecting a *layout generator* and generating the selected style sheet based upon the set of capabilities of the output device *using the layout generator*.

Shibata discloses that the knowledge agent performs the format conversion for the document to adjust to the user workstation capabilities (pages 82-83, 86-87).

DeRose discloses formatting a markup document using style sheets (col 15, line 64 to col 16, line 59, col 3, line 12 to col 4, line 30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined DeRose into Shibata since DeRose discloses that style sheets includes format characteristics for formatting the elements of a document providing the advantage to incorporate into Shibata for utilizing the style sheets as format characteristics for adjusting a document to a format that matches the capabilities of a user workstation which is equivalent to an output device.

Regarding claim 43, which is dependent on claim 42, Shibata discloses that the layout generator is a general purpose layout generator for use with a plurality of documents (pages 82-83, 86-87: the knowledge agent performs the format conversion of each document according to the request of each user at the user workstation, the knowledge agent, thus, is considered equivalent to a layout generator for use with a plurality of documents).

Regarding independent claim 48 includes the limitations as in claims 35 and 42, and is rejected under the same rationale of claims 35 and 42.

Regarding claim 53, Shibata and DeRose disclose that the document is a markup language document (Shibata: pages 82-83, 86; DeRose: col 3, lines 12-50, col 8, line 39 to col 9, line 20).

Response to Arguments

6. Applicant's arguments filed 9/15/05 have been fully considered but they are not persuasive.

Applicants argue that Shibata does not teach or suggest interrogating the output device to determine a set of capabilities of the output device in response to a request for the document. The reason is that either the user request contains the information as to the workstation capabilities or the knowledge agent already has the capabilities of the user's workstation stored locally. Also, the fact that "media formats of the multimedia units stored on different database servers must be converted to adjust to the user's workstation capabilities" (page 82) does not require the interrogating step (Remarks, page 6).

Examiner respectfully disagrees.

Since user access to the database is done from different multimedia workstations with different video and audio display capabilities, interrogating the capabilities of the output device must be performed for converting the media format to a format conforming to the capabilities of the user's workstation. Otherwise, the converted multimedia can not be disclosed properly in the request user's workstation. Further, the user request can not contain the information as to the workstation capabilities since conventionally, a user request for a document includes the query regarding a desired document only.

Regarding the case that the knowledge agent already has the capabilities of the user workstation stored locally, it appears impossible since the knowledge agent does not

know ahead and does not need to store locally all of the capabilities of all of different user workstations.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

DeRose et al. (US Pat No. 5,708,806, 1/13/98, filed 6/7/95).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cong-Lac Huynh
Primary Examiner
Art Unit 2178
11/15/05